

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America,  
Plaintiff

v.

Case No. 09-cr-88-01//03/05/07-SM

Juan Garcia Hernandez, Marco Garcia,  
Ciro Lopez Garcia and Adolfo Casas,  
Defendants

O R D E R

Defendant Tomas Cruz's motion to continue the trial is granted (document no. 116). Trial/Jury Selection has been rescheduled for April 6, 2010 at 9:30 a.m. Evidence will commence the following week on Monday, April 12, 2010, at 9:00 a.m. The objection was orally withdrawn by Attorney Kennedy at the final pretrial conference held on February 9, 2010. It is anticipated by the parties that two defendants (represented by Attorneys Gleason and Kennedy) will proceed with trial as scheduled. All defendants, however, are to be prepared to go forward with trial on the assigned date absent earlier dispositions

The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendants in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny the defendants the reasonable time necessary for effective

preparation taking into account the exercise of due diligence under the circumstances.

SO ORDERED.

  
Steven J. McAuliffe  
Chief Judge

February 9, 2010

cc: Michael Iacopino, Esq.  
Donald A. Kennedy, Esq.  
Andrew M. Kennedy, Esq.  
James D. Gleason, Esq.  
James P. O'Rourke, Esq.  
Richard Monteith, Esq.  
Terry Ollila, AUSA  
U.S. Marshal  
U.S. Probation